

HOUSE BILL No. 1084

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-10-8-16; IC 27-8-25; IC 27-13-37.3.

Synopsis: Out of country health care. Prohibits encouraging or requiring health care treatment outside the United States as a condition of third party health coverage. Prohibits a health coverage provider from causing an individual's medical records to be sent outside the United States without express written permission from the individual.

Effective: July 1, 2009.

Fry

January 7, 2009, read first time and referred to Committee on Insurance.

C
o
p
y



Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1084

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-10-8-16 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2009]: **Sec. 16. (a) As used in this section, "covered individual"**
4 **means an individual who is entitled to coverage under a state**
5 **employee health plan.**

6 **(b) As used in this section, "state employee health plan" means**
7 **a:**

8 **(1) self-insurance program established under section 7(b) of**
9 **this chapter; or**

10 **(2) contract with a prepaid health care delivery plan that is**
11 **entered into or renewed under section 7(c) of this chapter;**
12 **to provide group health coverage.**

13 **(c) A state employee health plan shall not encourage or require,**
14 **as a condition of coverage, a covered individual to receive health**
15 **care services in a location outside the United States.**

16 **(d) A state employee health plan shall not cause a covered**
17 **individual's medical records to be sent outside the United States**



C
o
p
y

1 without the express written consent of the covered individual.

2 SECTION 2. IC 27-8-25 IS ADDED TO THE INDIANA CODE AS
3 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
4 1, 2009]:

5 **Chapter 25. Health Care Outside the United States**

6 **Sec. 1.** As used in this chapter, "insured" means an individual
7 who is entitled to coverage under a policy of accident and sickness
8 insurance.

9 **Sec. 2.** As used in this chapter, "insurer" means an insurer that
10 issues or delivers a policy of accident and sickness insurance.

11 **Sec. 3.** As used in this chapter, "policy of accident and sickness
12 insurance" has the meaning set forth in IC 27-8-5-1.

13 **Sec. 4.** An insurer shall not encourage or require, as a condition
14 of coverage, an insured to receive health care services outside the
15 United States.

16 **Sec. 5.** An insurer shall not cause an insured's medical records
17 to be sent outside the United States without the express written
18 consent of the insured.

19 SECTION 3. IC 27-13-37.3 IS ADDED TO THE INDIANA CODE
20 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2009]:

22 **Chapter 37.3. Health Care Outside the United States**

23 **Sec. 1.** A health maintenance organization shall not encourage
24 or require, as a condition of coverage, an enrollee to receive health
25 care services outside the United States.

26 **Sec. 2.** A health maintenance organization shall not cause an
27 enrollee's medical records to be sent outside the United States
28 without the express written consent of the enrollee.

C
o
p
y

